

Section 708., Title 14, CCR, is added to read:

§708. Big Game License Tag, Application, Distribution and Reporting Procedures.

(a) Deer License Tag Procedures and Requirements

(1) Deer License Tags.

No person shall hunt deer without a valid deer license tag in possession for that particular area as defined in sections 360 and 361. Deer shall be tagged only with a valid deer license tag for the area (as defined in sections 360 and 361) in which the deer is killed. Except as otherwise provided in the Fish and Game Code, no person shall take more than two deer during any license year.

(2) Deer License Tag Application and Distribution Procedures.

(A) Distribution of License Tags:

1. Deer tags for X zones, additional hunts, and area-specific archery hunts shall be distributed by drawing unless otherwise authorized. Applicants shall submit their deer tag application to the Department of Fish and Game, License and Revenue Branch, 3211 S Street, Sacramento, California 95816 (Or by mail to PO Box 949035, West Sacramento, CA 95798-9035). Applications must be received by the department by 5:00 p.m. on the first business day after June 1. Successful applicants will be selected by drawing within 10 calendar days following the application deadline date. If the drawing is delayed due to circumstances beyond the department's control, the department shall conduct the drawing at the earliest date possible. Successful and unsuccessful applicants will be notified by mail.

2. Except as noted in subsection 708(a)(2)(E) below, deer tags for A, B, C, and D zones and leftover drawing tags shall be issued upon request until each tag quota fills. If, on any given day, the number of applications received for any zone or hunt exceeds the number of available tags, the department may conduct a drawing for that zone or hunt.

(B) Application Forms: Except for permits and deer tags issued pursuant to sections 4181.5, 4188, and 4334 of the Fish and Game Code, application forms for deer tags (2002/2003 CALIFORNIA RESIDENT ONE-DEER TAG APPLICATION, LRB 1371A, rev. 4/2002; 2002/2003 CALIFORNIA NONRESIDENT ONE-DEER TAG APPLICATION, LRB 1371B, rev. 4/2002; 2002/2003 CALIFORNIA RESIDENT SECOND-DEER TAG APPLICATION, LRB 1371C, rev. 4/2002; 2002/2003 CALIFORNIA NONRESIDENT SECOND-DEER TAG APPLICATION, LRB 1371D, rev. 4/2002, incorporated by reference herein) shall be made available to the public at license agents and regular offices of the department.

(C) Application Procedures:

1. Applicants must be at least 12 years of age and possess a California resident or nonresident hunting license valid for the deer hunting season for which they are applying, except applicants for additional junior deer hunts, who must possess a California junior hunting license.

2. No more than six persons may apply together as a party. To be considered as a party, all applications must be stapled together with the party leader's application on top and mailed in one envelope. All party members' applications must show the same tag choices in the same order of preference, the total number of persons in the party,

and the party leader's name and identification number. All party members shall be awarded tags according to the choices listed on the party leader's application. Incorrect or incomplete party applications will be separated and awarded tags on an individual basis.

3. Incomplete, incorrect, or ineligible applications will be rejected.

(D) Application Fee: The department shall require that the specified fee for a deer tag be paid as a prerequisite to obtaining a deer tag application. In addition to the tag fee, the department shall also charge a nonrefundable \$2.00 processing fee for each deer tag application.

(E) Application Restrictions:

1. One-Deer Tag Application:

a. A person may use a one-deer tag application to apply for an X zone, additional hunt, or area-specific archery hunt tag issued by drawing as specified in subsection 708(a)(2)(A)1., above.

b. A person may use a one-deer tag application to apply for an A, B, C, or D zone tag or archery-only tag issued upon request.

c. A person may use a one-deer tag application to apply for any X zone, additional hunt, or area-specific archery hunt tag remaining on the first business day after July 1. Applications must be submitted to the department's License and Revenue Branch in Sacramento, except applications for area-specific archery hunt A-22 and A-23, which may be submitted in person to the department's Los Alamitos or San Diego offices.

2. Second-Deer Tag Application:

a. A person may use a second-deer tag application to apply for an A or B zone tag or archery-only tag issued upon request.

b. A person may use a second-deer tag application to apply for any area-specific archery tag remaining on the first business day following July 1. Applications must be submitted to the License and Revenue Branch in Sacramento, except applications for area-specific archery hunt A-22, which may be submitted in person to the department's Los Alamitos or San Diego offices.

c. A person may use a second-deer tag application to apply for any C or D zone tag or additional hunt tag, except an additional junior hunt tag, remaining on the first business day following August 1. Applications may be submitted before that date to the License and Revenue Branch in Sacramento.

d. A person in possession of a valid junior hunting license, who has not used a one-deer tag application to apply for an additional junior hunt, may use a second-deer tag application to apply for an additional junior hunt tag issued by drawing as specified in subsection 708(a)(2)(A)1., above. A junior hunter may not submit more than one application for additional junior hunts.

e. No person shall submit more than one one-deer tag application and one second-deer tag application to the department during any one license year. Any person in violation of this subsection may be denied deer tags for the current and following license year.

(F) Deer Tag Exchange Fee: The department shall charge a nonrefundable \$6.25 processing fee for exchanging a deer tag for a different zone or hunt.

(3) Tagging Requirements:

Immediately upon killing a deer, both portions of the deer license tag must be completely filled out and the date of kill permanently marked on the deer license tag. The deer license tag must be attached to the antlers of an antlered deer or to the ear of any other deer and kept attached during the open season and for 15 days thereafter. Except as otherwise provided, possession of any untagged deer shall be a violation (refer to Fish and Game Code, Section 4336).

(4) Tag Validation and Countersigning Requirements, and Transporting for the Purpose of:

Any person legally killing a deer in this state shall have the deer license tag validated and countersigned by a person authorized by the commission as described below in subsection 708(a)(8) before transporting such deer, except for the purpose of taking the deer to the nearest person authorized to countersign the license tag, on the route being followed from the point where the deer was taken (refer to Fish and Game Code, Section 4341).

(5) Deer Head Retention Requirements and Production Upon Demand:

Any person taking any deer in this state shall retain in their possession during the open season thereon and for 15 days thereafter, that portion of the head which in adult males normally bears the antlers, and shall produce the designated portion of the head upon the demand of any officer authorized to enforce the provisions of this regulation (refer to Fish and Game Code, Section 4302).

(6) Deer Tag Reporting Requirements:

Every person to whom a deer tag is issued shall return the completed report card portion to the department within thirty days of taking a deer.

(7) Deer Violations, Tag Forfeiture:

Any person who is convicted of a violation involving deer shall forfeit their current year deer license tags and no new deer license tags may be issued to that person during the then current hunting license year, and that person may not apply for a deer tag for the following license year (refer to Fish and Game Code, Section 4340).

(8) Deer and Elk Tags, Persons Authorized to Validate.

The following persons are authorized to validate or countersign deer and elk tags:

(A) State:

1. Fish and Game Commissioners
2. Employees of the Department of Fish and Game
3. Deputy Foresters
4. Assistant Deputy Foresters
5. Forest Rangers
6. Park Rangers--Grades 1, 2, 3, and 4
7. Supervising Plant Quarantine Inspectors
8. Junior, Intermediate and Senior Plant Quarantine Inspectors
9. Foresters
10. Fire Prevention Officers--Grades 1, 2, 3, and 4
11. Fire Captains
12. Fire Apparatus Engineers

(B) Federal: (FS = U.S. Forest Service, FWS = U.S. Fish & Wildlife Service, BLM = Bureau of Land Management)

1. Range Technicians (BLM)
 2. Forest Supervisors (FS)
 3. Assistant Forest Supervisors (FS)
 4. District Forest Rangers (FS)
 5. Foresters (FS, BLM)
 6. Range Conservationists (FS, BLM)
 7. Forest Engineers (FS, BLM)
 8. Forestry Aides (FS)
 9. Fire Control Officers or Aides (FS, BLM)
 10. Clerks (FS, FWS, BLM) while on duty at their headquarters
 11. Game Management Agents (FWS)
 12. Wildlife Management Biologists (FS, FWS, BLM)
 13. District Managers (BLM)
 14. Information Specialists (BLM)
 15. Area Managers (BLM)
 16. Realty Specialists (BLM)
 17. Natural Resource Specialists (BLM)
 18. Engineers (BLM)
 19. Engineering Technicians (BLM)
 20. Recreation Resource Specialists (BLM)
 21. Geologists (BLM)
 22. Recreation Aides (BLM)
 23. All Uniformed Personnel of the National Park Service
 24. Commanding officers of any United States military installation or their designated personnel for deer taken on their reservation.
 25. Postmasters
 26. Post Office Station or Branch Manager for deer brought to their post office.
- (C) Miscellaneous:
1. County firemen at and above the class of foreman for deer brought into their station.
 2. Judges or Justices of all state and United States courts.
 3. Notaries Public
 4. Peace Officers
 5. Nonsalaried police officers or deputy sheriffs while on scheduled duty in a city or county of appointment for deer brought to a police station or sheriff's office
 6. Officers authorized to administer oaths
 7. Owners, corporate officers, managers or operators of lockers or cold storage plants for deer brought to their place of business.
- (D) No person may validate or countersign their own tag.
- (b) Distribution of Bighorn Sheep License Tags:
- (1) Fund-raising Nelson bighorn ram license tags: Two fund-raising license tags for the taking of mature Nelson bighorn rams shall be sold for the purpose of raising funds to manage bighorn sheep. The department may designate a nonprofit organization to sell this fund-raising tag. Any resident or nonresident is eligible to buy the tag. The purchaser of a fund-raising license tag shall complete a required hunter orientation program conducted by the department and meet the hunter education requirements for

a hunting license. The fund-raising license tags are defined as follows:

(A) Open-zone fund-raising license tags: These fund-raising license tags are valid in any of the areas described in subsection 362(a).

(2) General Nelson bighorn ram license tags: The application form (2002 NELSON BIGHORN SHEEP DRAWING APPLICATION, LBR 1362, Rev. 4/2002, incorporated by reference herein) shall be made available to the public at license agents and regular offices of the department. Applicants must be California residents or nonresidents, at least 16 years of age, possessing a California hunting license valid during the bighorn ram season for which they are applying, and must not have been previously issued a bighorn license tag in California. Applicants must apply for only one designated zone. No person shall submit more than one application. Applicants shall submit the application with a nonrefundable processing fee of \$6.75 to the Department of Fish and Game, License and Revenue Branch, 3211 S Street, Sacramento, CA 95816. (Or by mail to PO Box 989041, West Sacramento, CA 95798-9041). Applications must be received before 5:00 p.m. on the first business day after June 1. Incomplete applications and applications submitted without the appropriate processing fee will not be included in the drawing. Successful applicants and a list of alternates for each zone shall be determined by drawing within 10 calendar days following the application deadline date. If the drawing is delayed due to circumstances beyond the department's control, the department shall conduct the drawing at the earliest date possible. No more than one nonresident shall be selected to receive a general license tag. Unsuccessful applicants will not be notified. Successful applicants will be mailed notification as soon as practical. Upon receipt of the notification, the applicant shall submit the appropriate tag fee, either \$270.25 for a resident or \$500.00 for a nonresident, to the Department of Fish and Game, License and Revenue Branch, 3211 S Street, Sacramento, CA 95816. The tag fee shall be received by the department by 5:00 p.m. on the Monday following the second Saturday in July. Should the quota for each zone remain unfilled after that date, the alternate lists shall be used. Successful applicants shall be issued tags only after successfully completing the required hunter orientation program conducted by the department.

(3) Tagholder Responsibilities:

(A) Only persons possessing valid Nelson bighorn sheep license tags are entitled to hunt bighorn sheep. Tags shall not be transferable and are valid only in the zone or zones specified.

(B) Individuals awarded a fund-raising license tag and all successful applicants for general license tags shall attend and successfully complete a mandatory hunter orientation program. Licensed guides employed by successful applicants and the fund-raising license tag buyer shall accompany their clients to this orientation program.

(C) All successful bighorn sheep tagholders shall have their tags validated. All tags must be returned to the department within 10 days after the close of the season, even though the tagholder may not have killed a Nelson bighorn ram.

(D) Tags must be completed and attached to the carcass of a bighorn ram immediately after the animal is killed. All successful bighorn sheep tagholders shall have their tags validated.

(E) All tagholders will be notified by mail as to whether they will be required to report to

the department before hunting and upon completion of hunting. The notification shall contain procedures for reporting, including appropriate methods of contacting the department.

(F) The tagholder shall surrender his tag to an employee of the department for any or all of the following reasons:

(1) Any act on the part of the tagholder which violates any of the provisions of the Fish and Game Code, or any regulations of the commission.

(2) Any act on the part of the tagholder which endangers the person or property of others.

The decision of the department in such respects shall be final and binding upon the tagholder.

(c) Distribution of Pronghorn Antelope License Tags:

(1) The pronghorn antelope license tags shall be issued by drawing. Application forms (2002 RESIDENT ANTELOPE DRAWING APPLICATION, LRB 1363, Rev. 4/2002, incorporated by reference herein) shall be made available to the public at license agents and regular department offices. Each applicant must be a California resident, at least 12 years of age, and possess a California hunting license valid during the pronghorn antelope season for which they are applying. Applicants for buck pronghorn antelope license tags must not have been issued a buck pronghorn antelope license tag during the previous ten years. Applicants may apply for doe and junior hunt license tags every year. Applicants for the junior pronghorn antelope hunts must be California residents possessing a junior hunting license valid during the pronghorn antelope season for which they are applying. No person shall submit more than one application for a pronghorn antelope license tag. No more than two persons shall apply together as a party. To be considered as a party, both persons must apply on the same application for the same tag choice. Incomplete applications and applications submitted without the appropriate processing fee will not be included in the drawing.

(2) Applicants shall submit the application with a nonrefundable processing fee of \$6.75 for Single and \$13.50 for Party to the Department of Fish and Game, License and Revenue Branch, 3211 S Street, Sacramento, CA 95816. Applications must be received before 5:00 p.m. on the first business day after June 1. Successful applicants and a list of alternates for each hunt shall be determined by drawing within 10 calendar days following the application deadline date. If the drawing is delayed due to circumstances beyond the department's control, the department shall conduct the drawing at the earliest date possible. In the event a party application is drawn for the last tag available for a hunt, the party will be split and the party leader (first person listed) as indicated on the application form shall be awarded the pronghorn antelope license tag. The party member shall become the first alternate for that hunt.

Unsuccessful applicants will not be notified. Successful applicants and alternates will be mailed notification as soon as practical. Upon receipt of the notification the applicant or alternate shall submit an \$95.75 tag fee to the Department of Fish and Game, License and Revenue Branch, 3211 S Street, Sacramento, CA 95816 (Or by mail to PO Box 989041, West Sacramento, CA 95798-9041). The tag fee shall be received by the department by 5:00 p.m. on the Monday following the second Saturday in July. Should the quota for each zone remain unfilled after that date, the alternate list shall be used.

In the event only one pronghorn antelope license tag is available to an alternate, party applications will be split and the alternate tag shall be awarded to the party leader as indicated on the application form. Undistributed tags will be issued after the drawing. Any tags unclaimed by successful applicants after that date shall be awarded to paid alternates for that zone, on an individual basis, in the order drawn. Any remaining tags may be issued to paid alternates for other zones.

(3) Fund-raising License Tags: Fund-raising license tags for the taking of buck pronghorn antelope shall be offered for sale to raise funds for the management of pronghorn antelope. Any resident or nonresident is eligible to buy one of the fund-raising license tags. Bidders for and purchasers of fund-raising tags are exempt from the 10-year waiting period to purchase a buck pronghorn antelope fund-raising tag. The sale price of a fund-raising license tag includes the fee for processing and issuing a hunting license. The purchaser shall be issued the fund-raising license tag only after meeting the hunter education requirements for a hunting license.

(4) Tagholder Responsibilities:

(A) Only persons possessing valid pronghorn antelope license tags are entitled to hunt pronghorn antelope during these hunts. Tags shall not be transferable and are valid only in the area, season, and period specified on the tag.

(B) All tagholders must return the report card portion of their license tag to the department within one week after the close of the pronghorn antelope season, even though the tagholder may not have killed a pronghorn antelope.

(C) The holder of a pronghorn antelope license tag, immediately after killing a pronghorn antelope, shall fill out both parts of the tag and mark permanently the date of kill. The tag portion shall be immediately attached to a horn of buck pronghorn antelope or to an ear of doe pronghorn antelope and kept attached for 15 days after the close of the open season.

(D) The tagholder shall surrender his license tag to an employee of the Department of Fish and Game for any of the following reasons:

(1) Any act on the part of the tagholder which violates any of the provisions of the Fish and Game Code, or any regulations of this commission.

(2) Any act on the part of the tagholder which endangers the person or property of others. The decision of the Department of Fish and Game in such respects shall be final and binding upon the tagholder.

(d) Distribution of Elk License Tags:

(1) Three fund-raising license tags for the taking of elk bulls shall be offered for sale to raise funds for the management of elk. The department may designate a nonprofit organization or organizations to sell the fund-raising tags. Any resident or nonresident is eligible to buy one of the license tags. The purchase of fund-raising tags shall complete required hunter orientation programs conducted by the department and meet the hunter safety requirements for a hunting license.

(2) Application forms for elk tags (2002 RESIDENT ELK DRAWING APPLICATION, LRB 1364, Rev. 4/2002, incorporated by reference herein) shall be made available to the public at license agents and regular department offices. Each applicant must be a California resident at least 12 years of age and possess a California hunting license valid during the elk season for which he/she is applying. No person shall submit more

than one application for an elk license tag. No more than two persons shall apply together as a party. To be considered as a party, both persons must apply on the same application for the same tag choice. Incomplete applications and applications submitted without the appropriate processing fee will not be included in the drawing.

(3) The elk hunting license tags shall be issued by drawing. Applicants shall submit the application with a nonrefundable \$6.75 for Single and \$13.50 for Party processing fee to the Department of Fish and Game, License and Revenue Branch, 3211 S Street, Sacramento, CA 95816 (Or by mail to PO Box 989041, West Sacramento, CA 95798-9041). Applications must be received before 5:00 p.m. on the first business day after June 1. In the event a party is drawn for the last tag available for a hunt, the party will be split and the party leader (first person listed) as indicated on the application form shall be awarded the elk tag. The party member shall become the first alternate for that hunt. Successful applicants and a list of alternates for each hunt will be determined by drawing within 10 calendar days following the application deadline date. If the drawing is delayed due to circumstances beyond the department's control, the department shall conduct the drawing at the earliest date possible. Unsuccessful applicants will not be notified. Successful applicants and alternates will be mailed notification as soon as practical. Upon receipt of the notification, the applicant or alternate shall send a \$286.75 tag fee to the Department of Fish and Game, License and Revenue Branch, 3211 S Street, Sacramento, CA 95816. The tag fee shall be received by the department by 5:00 p.m. on the Monday following the second Saturday in July. Any tags unclaimed by successful applicants after that date shall be awarded to paid alternates for that hunt, on an individual basis, in the order drawn. Any remaining tags may be issued to paid alternates for other zones.

(4) Tagholder Responsibilities:

(A) All tagholders must return their license tags to the Department of Fish and Game within one week after the close of the elk season, even though the tagholder may not have killed an elk.

(B) License tags must be attached to the antler of an antlered elk, or to the ear of antlerless elk immediately after killing.

(C) Persons authorized to validate or countersign elk tags are listed in Section 708(a)(8). Elk tags must be countersigned before transporting such elk, except for the purpose of taking it to the nearest person authorized to countersign the license tag on the route being followed from the point where the elk is taken.

(D) Only persons possessing valid elk license tags are entitled to take elk. Tags are not transferrable and are valid only for the area and period specified.

(E) The tagholder shall surrender his tag to an employee of the Department of Fish and Game for any or all of the following reasons:

(1) Any act on the part of the tagholder which violates any of the provisions of the Fish and Game Code, or any regulations of the Commission made pursuant thereto.

(2) Any act on the part of the tagholder which endangers the person or property of others. The decision of the Department of Fish and Game shall be final.

(F) Elk may be taken on Santa Rosa Island pursuant to a permit issued by the department. For methods of take, see sections 353 and 354.

(e) Bear License Tags.

(1) Application for Bear License Tags:

(A) With the exception of permits and tags issued pursuant to section 4181 of the Fish and Game Code, all bear license tag applications shall be submitted on forms provided by the department.

(B) The department may require that the specified fee provided for in section 4751 of the Fish and Game Code for such bear license tags be paid as a prerequisite to obtaining a bear license tag application.

(C) The department shall charge a nonrefundable \$2.00 processing fee for each bear tag application.

(D) Only one bear license tag application may be submitted to the department during any one license year. Any person who submits more than one bear license tag application may be denied bear license tags for the current license year.

(2) Distribution of bear tags: Applications for bear tags (2002/2003 CALIFORNIA RESIDENT BEAR TAG APPLICATION, LRB 1365A, rev. 4/2002; and 2002/2003 NONRESIDENT BEAR TAG APPLICATION, LRB 1365B, rev. 4/2002, incorporated by reference herein) shall be available to the public at license agents and regular offices of the department. Tags will be issued at regular department offices.

(3) Use of Guides: Any holder of a bear license tag who utilizes the services of a guide or guides shall verify that the guide is in possession of a valid guide's license and shall place the guide's license number on the bear license tag in the space provided.

(4) Use of Dogs: Any holder of a bear license tag who utilizes dogs to take bear shall so indicate on his bear license tag in the space provided.

(5) Validation of Bear Tags: Only Department of Fish and Game employees may validate bear tags (This provision supersedes section 4755 of the Fish and Game Code). Bear tags must be countersigned before transporting such bear except for the purpose of taking it to the nearest person authorized to countersign the license tag, on the route being followed from the point where the bear is taken.

(6) Return of Bear License Tags:

(A) Every person who takes a bear shall immediately return the report card portion of the bear license tag, after having the tag countersigned as required in (e) above. The tag may be presented to a department office/officer or returned through the United States Mail.

(B) Every person who is unsuccessful in taking bear shall return the report card portion of the bear license tags by February 1 of the current license year. The tag may be presented to a department office/officer or returned through the United States Mail.

(f) Application For and Use of Wild Pig License Tags:

(1) Any person, 12 years of age or older, who possesses a valid hunting license may procure wild pig license tags as specified in Section 4654 of the Fish and Game Code.

(2) Wild pig license tags will be sold to residents in packets of five. Nonresident wild pig license tags will be sold individually.

(3) Wild pig license tags are valid only during that portion of the current hunting license year in which wild pigs may be legally harvested as provided in subsection 368(a).

(4) Any person hunting wild pigs shall carry a wild pig license tag while hunting wild pigs, and upon the killing of any wild pig shall immediately fill out both parts of the tag.

clearly mark the date of the kill and attach the tag to the carcass of the wild pig. The report card portion shall be immediately returned to the department.

g) Accrual of Points for Big Game Drawings:

1. Any person applying for premium deer tags (X zones, Area-specific archery hunts, and additional hunts) who is unsuccessful in the big game drawing with their first choice shall receive a point.

2. Junior hunters applying for premium deer tags (X zones, Area-specific archery hunts, and additional hunts) may only accrue points based on their first deer tag application.

3. Any applicants for elk, pronghorn antelope or bighorn sheep hunts who are not awarded tags through the drawing will receive a point for that species.

NOTE

Authority cited: Sections 200, 202, 203, 213, 215, 219, 220, 331, 332, 1050, 1572, 4302, 4336, 4340, 4341 and 10502, Fish and Game Code.

Reference: Sections 200-203.1, 206, 207, 211-222, 331, 332, 713, 1050, 1570-1572, 3950, 3951, 4302, 4330-4333, 4336, 4340, 4341, 4652-4655, 4657, 4750-4756, 4902, 10500, 10502, Fish and Game Code.